

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

ROGER D. PFEIL,)	
Institutional ID No. 18630,)	
)	
Plaintiff,)	
)	
v.)	
)	
LT. RUBEN TORRES, et al.,)	
)	Civil Action No. 5:05-CV-289-C
Defendant.)	ECF

ORDER

On August 4, 2008, the Court entered an order directing the United States Marshal (hereinafter "the USM") to serve process on the Defendants, including Defendant Lt. Skinner. On December 8, 2008, the USM filed his return of service indicating that he has been unable to locate Defendant Lt. Skinner for service of process. The USM provided information that the Defendant no longer worked at the Bill Clayton Detention Center but was directed to the Roosevelt County Detention Center in Portales, New Mexico. The USM traveled to the Roosevelt County Detention Center in an unsuccessful attempt to serve Defendant at that location.

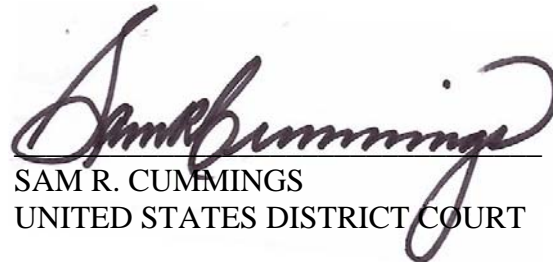
By Order dated December 18, 2008, Plaintiff was ordered to provide additional information with which to locate Defendant Lt. Skinner for service of process and was admonished that failure to provide such information would result in dismissal of Defendant Lt. Skinner. In response, Plaintiff notified the Court of two possible addresses for Defendant Lt. Skinner; one in Conroe, Texas, and the other in Woodville, Texas. On January 22, 2009, the

Court entered an order directing the USM to serve process on Defendant Lt. Skinner at the addresses provided. On August 12, 2009, the USM filed his return of service again indicating that he was unable to locate Defendant Lt. Skinner, despite attempts to call him from different phone lines, as well as visiting the addresses provided by Plaintiff. The Court finds that Plaintiff has failed to provide sufficient information with which to locate and serve Defendant Lt. Skinner.

It is, therefore, ORDERED that Plaintiff's complaint and all claims alleged against Defendant Lt. Skinner are dismissed without prejudice.

Judgment shall be entered accordingly.

Dated August 31, 2009.



SAM R. CUMMINGS
UNITED STATES DISTRICT COURT